AFFIDAVIT

The undersigned, having been duly sworn, deposes and says:

I, Virginia Samon, am a private investigator with the Diamond Detective Agency, Eleven Beacon Street, Boston, Massachusetts.

On December 2, 1967, a trip was made to the home of Clarence D. Baldwin, Cape Dutton Road, Litchfield, Connecticut. I arrived at approximately 1:05 P.M., at which time Mr. Baldwin drove into his yard in a company car (CP&L). I approached him and properly identified myself as an investigator for the defense, explaining that I would like to ask him two questions relating to the trial of the United States vs. James Miller, as I understood that he had served as a juror on the case. Mr. Baldwin immediately stated that he did not wish to discuss this matter at all. When I asked him what his reason was, he replied that he was told by the judge never to say anything to anyone about the case. I asked him how long ago the judge had given this order and he said that it was about a year ago. He further stated that it was a long, involved story and he really didn't want to go into it. I agreed that this was so, but explained that I only wished to ask him two questions. At this point, Mr. Baldwin's wife came to the door and asked Mr. Baldwin to invite me into the house. Mr. Baldwin then said that I could come into his home if I wished, but that it wasn't necessary since he would not talk about the case. He explained that he did not want to appear rude, but he really had no choice in the matter. He advised me that all the jurors had been given the same warning and that none of them would ever talk. In fact, Mr. Baldwin pointed out that one of the jurors, a Mr. Lester, was so upset by the trial that he is not

the same man today as a result of all the stress and strain. Just shortly after the trial, Mr. Lester suffered a cerebral hemorrhage, which Mr. Baldwin attributes to the force of the trial. He continued to say that the trial was a terrible ordeal for all the jurors involved. One of the jurors was shingling his house and he kept a shotgun with him all the while. I asked Mr. Baldwin if he was inferring that this juror was frightened that much by the threats. Mr. Baldwin said that was correct. He said that everyone was scared. "It didn't bother me that much," he said, "but I was afraid for my family. You know — I have three children and a wife. I didn't want anything to happen to them. Now that it's all over I just want to forget it. It's over and done with!"

Mr. Baldwin said that he was sorry that he couldn't be of any help to me. I told him that I understood his position and thanked him just the same.

A trip was then made to the home of Mr. Levi E. Parsons, Sr., West Shore Road, Bantam, Connecticut. I arrived at approximately 2:00 P.M. At this time, Mr. Parsons had just pulled into his driveway. When I properly introduced myself to Mr. Parsons, he stood back and said that would not speak to me. He stated very strongly, "I don't have a thing to say. That's all!" Then as he walked towards his house he muttered, "It's all over now."

On this same date, a trip was made to the home of Mr. Joseph William Lester, South Street, Litchfield, Connecticut. I explained to Mr. Lester, as I had to the others, that I wished to ask him a couple of questions about the trial. He agreed to discuss it with me and invited me into his home. I asked Mr. Lester the following two questions: 1) How were the threats communicated to you? 2) What effect did they have?

Mr. Lester answered these questions and also volunteered other information as a result of our conversation. From this discussion, the following statements were made by Mr. Lester:

"I was attending a dinner party and an individual mentioned to me that some people had said . . . Well, you know the story. It's all in the record."

"I did mention it to the two jurors with whom I rode to the courthouse [Baldwin and Parsons]. We decided that it should be told to the judge."

"I wasn't that scared; I had no reason to be. But the others have families. I did discuss it with my wife, however."

"All the jurors knew about it [the threat], but not much was said. The judge asked us not to discuss it."

"I don't know what the other jurors thought about the threat, but . . ." At this point, Mrs. Lester interrupted her husband and said to him, "Dear, you do mean just the other *two* jurors, don't you? You don't know whether *all* the jurors knew about the threat." Mr. Lester replied, "No, dear, they *all* knew about it. Why, sure . . ." Mrs. Lester again interrupted, "Don't you remember that the judge instructed you not to mention it to the other jurors? You never said anything to them about it." (Mrs. Lester kept shaking her head as she made the above statement.) Mr. Lester said, "No, I didn't say anything — but they knew."

On December 4, 1967, a check was made at the Litchfield State Police Headquarters in Litchfield, Connecticut, to determine if they had any record of either Baldwin, Lester or Parsons making a request for police protection in either May or June of 1966. Trooper Swantko checked his files and said that he had no such request on record.

A trip was then made to the Litchfield Town Hall, where Mr. Flaherty, the resident trooper, has his office. I properly identified myself and asked him if he might have a record of the request, as described above. Trooper Flaherty immediately knew what I was referring to and he recalled, in detail, that Mr. Baldwin had told him about the threat and had come to him for advice as to what he should do to protect himself. Mr. Baldwin had asked him to check his house often and to make note of any strange cars in the area. Trooper Flaherty agreed to do this. Flaherty explained to me that, at the time, he treated the situation in a matter-of-fact manner and tried not to cause any further alarm for Mr. Baldwin. Mr. Baldwin had expressed his concern to Trooper Flaherty and indicated that the others were more afraid than he was. Trooper Flaherty stated to me: "If I remember correctly, that Mr. Lester was really upset about the threat!"

Trooper Flaherty also stated that he had never been questioned about the threat by any representative of the Federal Government or anyone else, at any time.

On December 17, 1967, I returned to the home of Mr. Lester and asked him some more questions about the threats. I referred to the record of the colloquy between the three jurors and the judge and the place where Mr. Parsons, at the urging of Mr. Lester, told the judge about "dope" being "peddled" at two places in Torrington. I asked him why he thought to mention this matter to the judge during an interrogation about the threat. He replied that he and Parsons believed that the threats came from dope peddlers in Torrington, whom they associated with Mr. Miller.

I asked him if he had ever discussed the threats with any representative of the United States Government since hearing

of them, either during or after the trial. He replied that he had not done so, and no one from the Federal Government had ever asked him for the identity of the person who related the threat to him.

I asked him what he thought that the judge meant when he asked Mr. Lester and the other jurors if the threats would affect their decision in any way. He replied that he understood the judge to be inquiring about whether their decisions would be affected by fear of retaliation.

Mr. Lester was then asked if he had ever sought police protection as a result of the threats. He said yes. He, Baldwin and Parsons had gone to Trooper Flaherty and requested police protection the day after the threats were related, before they talked to the judge.

Mr. Lester stated that both Mr. Baldwin and Mr. Parsons were scared by the threats — especially Mr. Parsons who was "terribly shaken." He said that both Parsons and Baldwin were definitely affected and influenced in their decision by the threats, while he was not because his children are grown and "What have we to lose? There's just the two of us."

On the same date, I returned to the home of Mr. Parsons. Again he refused to discuss the threats. Indeed, he asked me to leave immediately and appeared frightened. I left immediately.

I returned to the home of Mr. Baldwin on December 17, 1967. He was very angry as soon as he saw me and told me to "get out of here right now." He also said that he was going to call the other jurors and tell them not to discuss the case with me because the judge had ordered them not to do so. I told him that I had already asked some of the jurors about the threats.

A while later, when I and the man who was accompanying me were eating lunch, Mr. and Mrs. Baldwin came into the restaurant. Mrs. Baldwin apologized for her husband's outburst, and told me that they would check with the judge and then, if approved, would discuss the case with me. I gave her my name and she gave me her telephone number, suggesting that I call them back in a few days, which I agreed to do. I thereafter called several times and received no answer.

Signed and sworn this twenty-seventh day of December, 1967

Virginia Samon

WITNESSES:

Richard B. Lane
Marilyn Babbitt

On this twenty-seventh day of December, 1967, personally appeared before me Virginia Samon and swore to the truth of the matters contained in the previous statement of six pages which is herewith attached.

SHIRLEY P. BRILL
Notary Public

My commission expires
January 28, 1972